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House of Representatives

The House met at 12 o'clock noon.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. O'NEILL) laid before the House the following communication from the Speaker:

WASHINGTON, D.C.,
January 22, 1976.

I hereby designate the Honorable THOMAS P. O'NEILL, JR., to act as Speaker pro tempore today.

CARL ALBERT,

Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

God is love and he who abides in love abides in God and God abides in him.—I John 4: 16.

Our Father God, grant that during the days of this year we may be filled with Thy love, the love that never lets us go and never lets us down, but always seeks to keep us on Thy way, doing Thy will, and obeying Thy word.

We confess to Thee the sins we have committed, the mistakes we have made, and the faults we have developed. We are not too proud of the record of our lives, nor the way we have handled ourselves in times of trouble, nor our response to the needs of our people. Forgive us, O God, for our blindness of heart and our stubbornness of spirit.

Humbly now we open our lives to receive the miracle of Thy forgiveness and Thy love. Send us out into this new day restored to Thee, redeemed by Thy grace and renewed by Thy spirit, ready for the work that needs to be done.

In the spirit of the Master, we pray. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

A NATIONAL DAY OF PRAYER FOR THE MISSING IN SOUTHEAST ASIA

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONTGOMERY. Mr. Speaker, I would like to call to my colleagues' attention a proclamation issued by President Ford yesterday which calls for a national day of prayer this coming Sunday, January 25, for the American military and civilian personnel still unaccounted for in Southeast Asia. I commend the President for this action and for calling attention to the unknown fate of our MIA's.

As chairman of the House Select Committee on Missing Persons in Southeast Asia, I am very much aware of the enormous task we have ahead of us in achieving a full accounting and securing the return of remains of known dead. However, we feel that our meetings in Paris, Hanoi, and Vientiane have been fruitful and have set us on the right course to gain the information we desire. We shall continue to press ahead in the months to come.

I urge my colleagues to join in the national day of prayer for our MIA's this Sunday and to continue their individual efforts on behalf of the missing.

INTRODUCTION OF THE FOREIGN PARAMILITARY INTERVENTION ACT

(Mr. SCHEUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHEUER. Mr. Speaker, on December 12, 1975, CIA Director William Colby, in testimony before the House Intelligence Committee, acknowledged the paramilitary nature of his Agency's activities in Angola. Subsequently, press reports have indicated that our involvement is in the nature of civilian air spotters and ground advisers. Yet, had these CIA personnel been members of the U.S. military, rather than civilians, the President, under section 4(a)(1) of the war powers resolution, would have been obligated to report that fact to the Congress,

and if the Congress failed to authorize these activities within 90 days, those military advisers would have had to have been withdrawn.

Many in Congress will no doubt feel that a modest paramilitary operation is justified . . . that the risks are not as great as they might appear at first blush . . . that the deepwater ports of Angola and the protection of shipping lanes from the Persian Gulf are important enough to warrant greater involvement by the United States. Others will differ.

Whether or not one favors or opposes involvement in Angola, what is important is that Congress exercise its constitutional mandate on matters involving war and peace. It is important that Congress, after carefully considering the risks, either authorize or stop our involvement in Angola and in future paramilitary activities.

Therefore, I am today introducing the Foreign Paramilitary Intervention Act which will amend the war powers resolution by making it applicable in cases where agents or employees of the United States are engaged in hostilities in a foreign country or are advising foreign military forces engaged in hostilities.

NEW YEAR'S EVE SPEECH BY DR. BILLY GRAHAM

(Mr. HUBBARD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUBBARD. Mr. Speaker, millions of Americans listened to the famed and beloved evangelist, Dr. Billy Graham, on nationwide television this past New Year's Eve. Several of the Members of Congress have referred to this excellent and timely religious message subsequent to our return to Washington.

In order that each Member of Congress and others might have the chance to read this message from Dr. Billy Graham, I am sharing this in the CONGRESSIONAL RECORD and it will appear in full in the Extensions of Remarks today.

His message was entitled "Our Bicentennial."

PRIVILEGES OF THE HOUSE—SUB-PENA IN CASE OF BOSTON PNEUMATICS, INC. AGAINST INGERSOLL-RAND CO.

Mr. McDADE. Mr. Speaker, I rise to a question of the privileges of the House. The SPEAKER pro tempore (Mr. O'NEILL). The gentleman will state it.

Mr. McDADE. Mr. Speaker, I have been subpoenaed by the U.S. District Court for the District of Columbia to appear at the office of Stassen, Kostos & Mason, 450 Federal Bar Building West, Washington, D.C., on January 26, 1976, at 10 a.m., to testify on behalf of Boston Pneumatics, Inc., at the taking of a deposition in the case of Boston Pneumatics, Inc. against Ingersoll-Rand Co., civil action No. 72-1729, now pending in the U.S. District Court for the Eastern District of Pennsylvania.

Under the precedents of the House, I am unable to comply with this subpoena without the consent of the House, the privileges of the House being involved. I, therefore, submit the matter for the consideration of this body.

Mr. Speaker, I send the subpoena to the desk.

The SPEAKER pro tempore. The Clerk will read the subpoena.

The Clerk read as follows:

[In the U.S. District Court for the District of Columbia, Civil Action File, U.S.D.C. Eastern District of Pennsylvania, 72-1729; FS. 76-0013.]

Boston Pneumatics, Inc. vs. Ingersoll-Rand Company.

To Joseph M. McDade, United States House of Representatives, 2202 Rayburn House Building, Washington, D.C.

You are commanded to appear at the office of Stassen Kostos and Mason, 450 Federal Bar Building West in the city of Washington on the 26th day January, 1976, at 10:00 o'clock A.M. to testify on behalf of Plaintiff, Boston Pneumatics, Inc. at the taking of a deposition in the above entitled action pending in the United States District Court for the Eastern District of Pennsylvania and bring with you any written correspondence between your office and the Ingersoll-Rand Company and between your office and the General Services Administration, regarding allegations of violations of the Buy-American Act by Boston Pneumatics during the period around July 1969 to July 1970.

Dated January 16, 1976.

JAMES F. DAVEY,

Clerk.

By MARY B. DEEVERS,

Deputy Clerk.

Any subpoenaed organization not a party to this suit is hereby admonished pursuant to Rule 30(b)(6), Federal Rules of Civil Procedure, to file a designation with the court specifying one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and shall set forth, for each person designated, the matters on which he will testify or produce documents or things. The persons so designated shall testify as to matters known or reasonably available to the organization.

Mr. McFALL. Mr. Speaker, I offer a privileged resolution (H. Res. 971) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 971

Whereas Representative Joseph M. McDade, a Member of this House, has been served with a subpoena issued by the United

States District Court for the District of Columbia to appear at the office of Stassen, Kostos and Mason, 450 Federal Bar Building West, Washington, D.C., on the 26th of January, 1976, at 10:00 A.M. to testify on behalf of Boston Pneumatics, Inc., at the taking of a deposition in the case of Boston Pneumatics, Inc. against Ingersoll-Rand Company, civil action number 72-1729, now pending in the United States District Court for the Eastern District of Pennsylvania; and

Whereas by the privileges of the House no Member is authorized to appear and testify but by the order of the House: Therefore, be it

Resolved, That Representative Joseph M. McDade is authorized to appear in response to the subpoena of the United States District Court for the District of Columbia to testify at the taking of deposition in the case of Boston Pneumatics, Inc. against Ingersoll-Rand Company at such time as when the House is not sitting in session; and be it further

Resolved, That as a respectful answer to the subpoena a copy of this resolution be submitted to the said court.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO HAVE UNTIL MIDNIGHT TOMORROW, JANUARY 23, 1976, TO FILE CONFERENCE REPORT ON S. 2718

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tomorrow, January 23, 1976, to file a conference report on the Senate bill S. 2718.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

MOTOR VEHICLE INFORMATION AND COST SAVINGS ACT AMENDMENTS OF 1975

Mr. MOAKLEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 967 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 967

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10807) to amend the Motor Vehicle Information and Cost Savings Act to authorize appropriations, to provide authority for enforcing prohibitions against motor vehicle odometer tampering, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R.

10807, the Committee on Interstate and Foreign Commerce shall be discharged from the further consideration of the bill S. 1518, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 10807 as passed by the House.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 1 hour.

Mr. MOAKLEY. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio (Mr. LATTA), pending which I yield myself such time as I may consume.

(Mr. MOAKLEY asked and was given permission to revise and extend his remarks.)

Mr. MOAKLEY. Mr. Speaker, House Resolution 967 makes in order consideration of H.R. 10807, a bill to amend the Motor Vehicle Information and Cost Savings Act.

This is an open rule providing for 1 hour of general debate.

I would like to commend our distinguished colleague from California (Mr. VAN DEERLIN), chairman of the Subcommittee on Consumer Protection and Finance, for the outstanding work he and his colleagues have done in bringing this legislation before us.

H.R. 10807 will strengthen existing law prohibiting odometer tampering. Many States—including Massachusetts—have enacted very tough laws in this area. But Federal action is essential because so large a segment of the used car market involves interstate commerce. Once a car crosses State lines in the wholesale market, the State laws collapse. Even if the buyer and seller both live in States with strict laws, Federal action is necessary to protect buyers in interstate sales.

This legislation will also be of invaluable aid to consumers in making informed decisions in car buying by requiring that information be available on the comparative crashworthiness of automobiles.

House Resolution 967 will discharge the Committee on Interstate and Foreign Commerce from further consideration of S. 1518 and provides that it shall be in order to move to strike all after the enacting clause of S. 1518 and insert in lieu thereof the provisions of H.R. 10807 as passed by the House.

Mr. Speaker, I urge adoption of the rule so that the House may proceed to consider this legislation.

Mr. LATTA. Mr. Speaker, I yield myself such time as I may consume.

(Mr. LATTA asked and was given permission to revise and extend his remarks.)

Mr. LATTA. Mr. Speaker, as previously explained, this rule provides for 1 hour of general debate on H.R. 10807, the Motor Vehicle Information and Cost Savings Act Amendments of 1975, and that the bill shall be open to all germane amendments.

The purpose of this bill is to authorize funds to carry out the Motor Vehicle Information and Cost Savings Act for fiscal years 1976 and 1977, and to amend the act to provide authority for enforcing prohibitions against motor vehicle odometer tampering.

The estimated cost of this bill is

Senate

THURSDAY, JANUARY 22, 1976

The Senate met at 11:45 a.m. and was called to order by Hon. JOHN C. CULVER, a Senator from the State of Iowa.

PRAYER

The Chaplain, the Rev. Edward L. R. Elson, D.D., offered the following prayer:

The Lord is my light and my salvation; whom shall I fear? The Lord is the strength of my life; of whom shall I be afraid?—Psalms 27: 1.

Eternal God, amid all the distractions and divisions of the world about us, keep ever before us the vision of the unfinished American Revolution; a land where there is plenty for all, where there is equal justice under law, where slums have disappeared, where crime no longer festers, where service to others transcends desire for personal gain, and where the community of faith and hope and love abides.

Grant us here the wisdom and the courage to bring to completion the resplendent dream of our Founding Fathers, who before us lifted their prayers to Thee. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., January 22, 1976.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. JOHN C. CULVER, a Senator from the State of Iowa, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. CULVER thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, January 21, 1976, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR PEARSON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that following the recognition of the joint leaders under the standing order tomorrow, the distinguished Senator from Kansas (Mr. PEARSON) be recognized for not to exceed 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Does the acting minority leader seek recognition?

Mr. GRIFFIN. No, Mr. President.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Oklahoma (Mr. BARTLETT) is recognized for not to exceed 15 minutes.

Mr. GRIFFIN. Mr. President, if I may ask unanimous consent, I seek recognition prior to the special order today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GRIFFIN. Mr. President, pending the arrival of the Senator from Oklahoma who has a special order, I suggest the absence of a quorum on the time allotted to the minority leader.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRIFFIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded, and yield back any remaining time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Oklahoma is recognized for 15 minutes.

ANGOLA—WATERSHED OF AMERICAN FOREIGN POLICY

Mr. BARTLETT. Mr. President, when the Senate abruptly cut off aid to Angola, it once again gave irrefutable proof that a committee of one hundred is unsuitable for day-to-day foreign policy decisions. The Senate decision on an important foreign policy matter had all the earmarks of haste; a questionable factual basis; scant inquiry; poor analogies; undue emotional influence; little debate; and no real deliberation.

While I am critical of the decision, I am equally concerned with the decision process. Decisions made in the manner of the Angola one are seldom correct, and then only by chance. Foreign policy should not be left to chance.

Certainly the question of aid to Angola is a proper prerogative, as well as a responsibility, of the Congress. However, the Congress should not make such im-

portant and far-reaching foreign policy decisions by legislating hastily. Formulation of the issue through a rider on an appropriation bill is only one indication of the careless approach which was followed. Our Founding Fathers never claimed speed was an important political quality. In fact, they built many brakes into our governmental structure. The Congress should pay heed to their counsel.

Nor should Congress intentionally undercut the ongoing administration program of military aid. Politics should stop at the water's edge—as it did for so many years.

Instead, the Congress should have continued the present aid for 3 months or so by passing the defense appropriation bill before the Christmas recess and then in late January approached the Angola question in the usual deliberate way, beginning with hearings and ending with thorough debate in both Houses.

In this way, if the ultimate decision would be to provide military aid to Angola, there would not have been a hiatus resulting in a Communist advantage or victory prior to the time such aid could have reached Angola. Nor would there have been embarrassment to the United States, or international shock waves of doubt about the policy and will of the United States to resist Communist advancement in areas of American interest.

Also, the full Senate would have had the opportunity to learn the facts of the situation, as well as the administration's position. But this was not the case prior to the recent Senate vote.

Finally, the rash Senate action precluded a nationwide debate prior to any legislative action—a debate greatly needed to establish a sensible foreign policy course and reduce floundering caused by a wind blowing one way from the executive branch and the other way from the legislative branch.

So, once again, nations around the world are saying that the United States does not speak with one voice, that there is no clearly defined foreign policy. They say they do not know where we stand—and they are right. They do not know because we do not know what our present policy is.

The traditional clash between the executive and legislative branches of our Government was not only foreseen, but was planned by the participants in our constitutional convention. An administration accustomed to running our foreign affairs and a Congress insisting on participating must learn the mechanics of coordinating a sound and easily understood foreign policy. Because it will obviously take quite some time to accomplish this, this effort should have top priority in each branch.

There is a clear implication that the

Senate action may not be aimed merely at Angola, but at every nation finding itself in similar circumstances. As a result, speculation is rising that the United States, during its 200th anniversary of being the shining light of hope to those around the world fighting for freedom, is unceremoniously dimming the light. Such irony should not be the handiwork of the U.S. Senate.

After the blows to our credibility, resulting from our policies and actions in Southeast Asia, we can ill afford any nation claiming that we speak with a forked tongue. We should get about the business of a national debate of our policy toward Angola and other nations in a similar situation so that we may speak with one voice—loud, clear, and in plain, understandable English.

There are a proliferation of related questions, basic to our foreign policy, which must be included in the debate and should be answered as soon as possible. The starting point should be the matter of aid to Angola. A companion, yet broader question is: Should the U.S. foreign policy include selective military and economic aid to some nations which are resisting Communist aggression? And should such aid be offered only if the Communist aggression is abetted by the Soviet Union, or other Communist countries? Should congressional approval be required in each instance of aid and if so, how would this be done? Another related question is whether covert Soviet operations can be countered with overt American action. Entangled with these questions is the whole subject of the CIA structure and congressional oversights.

Congress must take action now to define clearly its function in the deliberation and formulation of foreign policy. Congress must draw the line somewhere, so that its role in foreign policy may be readily understood by the administration, by foreign powers—friend and foe alike—and by the American people. Certainly a joint executive-congressional foreign affairs task force should be helpful in solving the problem.

The remainder of my remarks will be directed primarily to American aid to Angola and future Angolas.

A letter dated December 16, 1975, to their colleagues signed by the Senator from California (Mr. Tunney) and five other Senators stated in part,

The Congress, if it is to fulfill its responsibilities, must be informed about our foreign commitments and about the financing of covert operations. We would be remiss in our obligation if we failed to demand a close and precise accounting of our interest, objectives, and policies being pursued in Angola.

That is so much claptrap.

First, the administration was acting in good faith in providing military support to Angola by following the requirements of law passed by Congress.

Second, the laws permit covert action on the part of the United States and if such action is taken, require the President of the United States to report "in a timely fashion, a description and scope of such operation to the appropriate committees of the Congress." Such re-

ports in the case of Angola were properly made.

Finally, any member of the Senate may receive, if requested, "a clear and precise accounting of our interest, objectives, and policies being pursued in Angola." Thus, were the Senators questioning the degree of information and accounting, or were they simply disagreeing, albeit subtly, with the nature of our interest and objectives relating to Angola?

The same December 16th letter says,

Clearly the Soviet Union and the United States are participants in the escalation of an African civil war.

The clear implication that the Soviet Union and the United States are equally guilty of misconduct is patently untrue. More fundamentally, the alternative of Soviet participation and an American default is not placed in focus. Opponents of aid to Angola seem at times to imply that if we do not participate the Soviets would not, or that somehow things will work out if we unilaterally withdraw. Recent events show how naive and incorrect such assumptions are.

Not only were the Soviets unilaterally interfering with Angola developing its own government, they were supporting the efforts to stamp out individual freedom and to replace it with communism. Without our countervailing aid, the job will be easy for the Communists.

Our aid in the defense of liberty is not something to be ashamed of. Rather it is in our interest to limit the expansion of Soviet military presence and communist power. Senators apparently do not perceive a difference between defense of freedoms and Soviet Communist aggression.

The same letter refers to Vietnam by saying, "such a reaction could pave the way for another agonizing foreign involvement." Yes, "another Vietnam" is the effective, emotional battle cry of those who forced a hurried decision to cut off aid to Angola. This argument is effective because no single American wants another Vietnam, but it is equally insidious because it has no substance. To compare our role in Angola with Vietnam by use of the common term "involvement" is like comparing a recruiter to a player by use of the common term "football."

No responsible American wants to send troops to Angola, let alone civilians. Currently, our Government has no Americans in Angola nor do we have any such plan. In fact, those who opposed the cutoff of Angola aid supported a substitute which I believe would have passed overwhelmingly as an amendment, rather than as a substitute. Introduced by the assistant Republican minority leader, the Senator from Michigan (Mr. Gurnea), this substitute provided that none of the funds in the Defense Appropriation Act could be obligated or expended to finance the involvement of U.S. military or civilian forces in hostilities on or over or from off the shores of Angola unless specifically authorized by Congress. Such language as this enacted into law should put to rest the awesome specter of Viet-

nam so that our foreign policy may be decided solely on its merits, rather than specious emotion.

Another argument used against our aid is that Angola should be left alone to work out its own destiny. I agree, but the Tunney amendment does not accomplish that goal. Our unilateral cutoff of aid gives even a bigger advantage to the Soviets and Cubans to enable them to accomplish their mischief. Our reduction of aid to South Vietnam did not discourage the Soviets from increasing further their aid to North Vietnam. Cutting off aid to Angola now makes it virtually certain that the citizens of Angola will not be able to work out their own destiny. Rather their future will be sculptured Soviet style.

Still another anti-Angolan aid argument is that no longer is there any real ideological difference with communism. What evidence or logic supports this argument? This same theme was advanced near the end of the Vietnam war, but a week's personal visit to South Vietnam in February 1975 convinced me to the contrary. Definitely, the majority of the South Vietnamese fought such a long war against North Vietnam because they treasured their freedom and feared communism.

In the Angola situation, several other black nations have asked the United States to intercede because they also are fearful of Soviet communism, as well as Soviet and Cuban military power and presence.

The old liberal saw that Communist theory does not present "any real difference in ideology" is as incorrect as the claim that South Vietnam, Cambodia, Czechoslovakia, and Poland are examples of nations where freedom abounds.

The following Soviet position on the nature of Communist ideology, that appeared in Pravda in May 1973, is candidly sobering. It said:

Only naive people can expect that recognition of the principles of coexistence by the capitalists can weaken the main contradiction of our times between capitalism and socialism, or that the ideological struggle will be weakened.

The senior Senator from Idaho (Mr. CHURCH) said:

If we took a longer view of history, I think we would not become so frightened by intervention in Africa on the part of the Russians, we would adopt a policy that does not simply mimic the Russians.

First, however, history shows when we have successfully "mimicked" the Russians freedom has remained viable. Greece, Iran, France, Germany, and Portugal are examples. The use of the term "mimicked" is calculated to obscure the real issue, rather than to analyze it.

The underlying basis of the argument to cut off the counter-aid offsetting Soviet aid in Angola and presumably other Angolas is that the threat from communism has disappeared. Détente is used to bolster the contention.

We should not be complacent about the expansion of Soviet military presence because of détente or for any other

January 22, 1976

CONGRESSIONAL RECORD — SENATE

S 287

reason—not just in Africa, but in the Mediterranean, Mideast, and Indian Ocean. We only need to note what our eyes see.

The Soviets have a bluewater navy which has strengthened their military posture in the Indian Ocean, as well as the Mediterranean.

The ACTING PRESIDENT pro tempore. The Senator's 15 minutes have expired.

Mr. JAVITS. Mr. President, I yield 2 minutes to the Senator from Oklahoma.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma is recognized for 2 additional minutes.

Mr. BARTLETT. I thank the distinguished Senator from New York.

A quick look at Somalia shows a continuing buildup of military might right there in River City at First and Main Streets—perhaps the most strategic location in Africa and the Indian Ocean—the intersection of the Suez Canal traffic with that rounding at Cape Good Hope. The Soviets have port and repair facilities for their Indian Ocean fleet, an international radio facility, a missile handling facility, large storage buildings, and several large airports available to them. And they continue to build up their military muscle.

Additionally, it is unlikely that the political relationship between the Soviets and the Angolan Communists is merely platonic as some claim. Politically we know well that this has never been their nature. However, the Soviet Government newspaper, *Izvestia*, put to rest such wishful thinking of the proponents of the Tunney amendment.

It recently reported:

The anticolonial revolution (in Angola) does not end with the achievement of independence. It is quite natural that assistance should be continued.

Izvestia further reports that the Soviet intervention in the Angola civil war is—

An important principle of Soviet foreign policy and further that détente cannot mean the freezing of the social status quo around the world.

This clearly means that it is Soviet policy to use force to deny nations the right to determine their own destiny, and that they are going to continue to intervene in Angola until the Communist faction wins. To the Soviets, anticolonialism is the rationalization for expanding their satellites.

To repeat, *Izvestia* says that:

Détente cannot mean the freezing of the social status quo around the world.

The Soviets want it both ways—détente with the United States, but intervention to support and expand Soviet Communist aggression and Soviet policy anywhere they choose around the world.

Perhaps the most preposterous demand of all, a frequent one that was used in opposition to the modest expansion of the U.S. naval base on Diego Garcia, is that we unilaterally stop what we are doing in order to negotiate—negotiate with the Soviets—as if that will lead to the millennium. This is akin to negotiating with a band of burglars while a raid of your home is in progress—likely to endear you temporarily, but not likely to save your goods.

We learned from all the negotiations with the Soviets, including the Cuban missile crisis, the Vietnam war, and SALT I and II, that we can negotiate successfully only from strength—that we capitulate from weakness.

If we decide, after cutting off our own assistance to Angola, to negotiate the withdrawal of Soviet aid to Angola, the Soviets will almost certainly have established their presence. The fight for freedom will have been lost before such negotiations get to first base. Because we would have nothing to negotiate, the Soviets would laugh in our face.

Our aid to Angola arrived after the Communist side had the advantage, yet this aid helped to bring quickly the civil war back into balance. With the recent Pravda claim of Communist victories in Angola, it appears that additional aid is most urgently needed and could result once again in then non-Communist forces regaining a balanced situation—one which could provide a real opportunity for a negotiated settlement.

Had Congress dealt with the issue of Angolan aid in an orderly and rational way, the outcome may or may not have been different. But the odds in favor of correct decisions are greatly reduced by the way we are making them, and the chances of the Senate making a real contribution to foreign policy or national enlightenment are severely lessened. Congress must understand its own strengths and its own weaknesses, or its mistakes will continue and compound. We can afford some mistakes, but we should have learned by now that another nation lost to communism is not a mistake which can easily be rectified.

The ACTING PRESIDENT pro tempore. The Senator's additional 2 minutes have expired.

The Senator from New York has 13 minutes remaining.

REPORT OF SENATOR JAVITS ON TRIP TO LATIN AMERICA

Mr. JAVITS. Mr. President, I report to the Senate today on my recent trip to Latin America.

Mr. President, these visits were of such critical importance to future U.S. policy in Latin America that I hope very much Members will acquaint themselves with the factual report in terms of the situation in each of the given countries.

During the Christmas and New Year's recess, I traveled to five countries in Latin America in my capacity as a member of the Senate Foreign Relations Committee. I was accompanied by my special assistant for economic affairs, Frank Ballance. I arrived in Rio de Janeiro, Brazil, on the morning of January 4, and also visited Sao Paulo and Brasilia. My visit included stops in Lima, Peru; Panama and the Canal Zone; Bogota, Colombia; and Caracas, Venezuela.

My last extensive trip to Latin America was in 1966, and extensive changes have occurred in Latin America since that time. The two most important trends have been the loss of democratic government in several Latin American countries and very substantial economic growth in a number of countries.

The purpose of my trip was to investi-

gate the economic changes that have taken place in Latin America over the last decade, an especially important task in light of the new policy respecting economic development in developing countries announced by the United States at the Seventh Special Session of the United Nations General Assembly in September 1975. This session represented a major initiative in U.S. policy toward the developing countries, and the role of the congressional advisers to the U.S. delegation, of which I was privileged to be a member, was crucial in the development of the U.S. position.

A second important reason for my trip was to discuss major political issues of concern both to the United States and Latin America. These include such major concerns of American citizens as limitations on human rights and press censorship in certain countries of Latin America, notably Brazil and Chile; progress or lack of it toward more democratic government in such countries as Brazil and Peru; Latin American attitudes on such issues as the Middle East, the anti-Zionism vote in the United Nations, Angola; and issues of economic importance such as multinational corporations, nationalizations of properties of U.S. nationals, and the new generalized system of preferences—GSP—which the United States put into effect on January 1, 1976.

A third and perhaps most important aspect of my trip was to determine the status of the Panama Canal negotiations, an issue of overwhelming importance for Panama, but also of great concern to the other nations of Latin America.

Indeed, the Panama Canal issue is the single most important matter of mutual concern for the United States and Latin America. A successful negotiation between the United States and Panama, leading to the ratification of a new treaty, could mark the beginning of a new policy relationship with Latin America, which could provide major benefits for both the United States and Latin America in every other area of mutual interest.

A little more than 2 years ago, Secretary Kissinger announced a new dialog policy toward Latin America, but the enormous changes in the world economy which have taken place since then, including the emergence of OPEC monopoly power and the subsequent exclusion of Venezuela and Ecuador from the generalized system of preferences, have caused the new dialog to become outdated. Thus, the new dialog has joined previous programs toward Latin America, the Good Neighbor Policy, the Alliance for Progress, and the Good Partner Policy on the list as outdated. The United States has had, in effect recently, a non-policy toward Latin America. But U.S. disillusionment with the United Nations and the growing economic importance of Latin America demand a new, positive policy toward our neighbors of the hemisphere.

A new economic partnership is required between the United States and the countries of Latin America—a partnership that takes into account their increasing economic strength and their desire to assert their independence even as they recognize the necessity for inter-

dependent policies with the United States. The United States ought to look on the Panama Canal negotiations as a major opportunity to demonstrate its good will and capacity to deal with sensitive issues affecting closely related developing countries; and a positive new policy toward Latin America will rest on a successful outcome to the Panama Canal negotiations.

I shall approach my report in the order of the countries I visited, and include a short description of my program, the people I met, and the issues discussed.

BRAZIL

I arrived in Rio on January 4, a Sunday, and began my program on January 5, with a meeting with the Secretary of Industry, Commerce and Tourism, Sr. Marcel Hasslocher. We had a interesting discussion on the unification of Rio de Janeiro and Guanabara States, which has enabled the Rio area to solve some financial problems of the type faced by New York because of outdated political boundaries. During the day I also met with distinguished groups of United States and Brazilian business leaders.

On the morning of January 6 I flew to São Paulo, where I appeared as the luncheon speaker before the U.S. Chamber of Commerce in São Paulo. During the day I met a number of Brazilian and American businessmen, journalists, and publishers, and the secretary of agriculture for São Paulo State, Sr. Pedro Tasinari Filho.

On January 7 I flew to Brasilia, where I met a number of ministers and Government officials. I began with a meeting with the Planning Minister, Sr. Reis Veloso, with whom I discussed my own efforts jointly with Senator HUMPHREY to initiate an indicative form of economic planning for the United States. Sr. Veloso provided some very interesting details about the Brazilian system, which fits well into a free market economy.

I paid a call on the President of the Senate, Senator Jose de Magalhães Pinto, and a number of Senators and Deputies.

I next had a long discussion and lunch with the Minister of Foreign Affairs, Sr. Antonio Azeredo da Silveira. After lunch I had meetings with the president of the Bank of Brazil, Angelo Calmon de Sá; the Chief of the President's Civil Household, General Golbery de Couto e Silva; Minister of Mines and Energy, Sr. Shigeaki Ueki; and the president of the Central Bank of Brazil, Sr. Paulo Lima.

I held a press conference on the morning of January 8 before flying from Brasilia to Lima, Peru.

Brazil has been one of the great economic success stories of modern times. Brazil's growth rate has averaged 10 percent for the decade of the 1960's and early 1970's, but her growth rate has now been cut in half as a result of the world recession, high oil prices, and restrictive economic policies Brazil believed were needed to curb the growth of imports. Brazil's oil bill has jumped from \$300 million in 1972 to \$3 billion in 1975. Brazil will have a trade deficit of roughly \$3.5 billion, or more for 1975, necessitating foreign borrowing and the drawdown of foreign exchange reserves.

Brazil regards the trade imbalance with the United States as particularly serious. The United States has a favorable balance of trade with Brazil of about \$1.5 to \$1.7 billion. Some means must be found to trim this deficit to a more reasonable level; this will mean U.S. outreach to encourage Brazilian exports as now permitted by the generalized system of preferences.

An additional irritating factor stated by the Brazilians is U.S. countervailing duties on shoes, castor oil, and now leather handbags. They feel deeply aggrieved by these duties, even though the total volume of trade in each category is quite small. In fact, Brazilian exports of these goods seem to be doing well in spite of the countervailing duties. The issue of countervailing duties is interesting for its psychological impact on Brazilian leaders, because it represents an ambivalence among Brazilians about whether Brazil is a developing country or is moving to developed status. While there is an argument on the merits, Brazil is rapidly moving away from a condition in which it can be construed even in the eyes of its main trading partners to be permissible for her to give subsidies to the export of any of its products and yet to expect these efforts to be ignored by developed nations like the United States. On the other hand, the keenness with which Brazilians feel aggrieved by United States countervailing duties is evidence of a desire still to be treated as a developing country by the United States. Both attitudes should be treated with an understanding spirit in the United States even if we cannot agree.

The new generalized system of preferences, which the United States put into effect on January 1, 1973, should be of major benefit to Brazil, and other countries in Latin America. The Brazilians had not yet fully grasped the importance of this new trade advantage, but the emphasis I gave to it should help them take advantage of the GSP to their benefit and ours. I told the Brazilians I met that I understood and sympathized with their trade problems with us, but that there must be reciprocity in our dealings, and that they should focus on the larger issues of trade. I pledged myself to assist in dealing with various trade problems on a bilateral basis.

Brazil is clearly emerging from developing country status, and I urged the Brazilians to join the ranks of the developed countries. There is quite a division of opinion on this subject in Brazil, with some leaders feeling that Brazil is still a member of the third world, and some Brazilian actions in the United Nations confirming this role—the most disturbing and difficult being Brazil's vote for the anti-Zionist resolution. Others feel that Brazil's rightful place such actions as the nuclear technology deal with West Germany tend to push Brazil into the industrial camp. This is not an issue that will be solved immediately. Brazil is in fact at least two countries, a poor northeast and Amazon area with low per capita incomes, and a prosperous industrial region along the

south Atlantic, with the greatest concentration of industrial output in São Paulo, which area has a per capita annual income of roughly \$2,000.

Although the United States should welcome the addition of Brazil to the ranks of the developed countries, and I expect that this will occur within the next few years, I think it is fair to say that the industrial countries expect a certain level of political development to match Brazil's economic output. Brazil cannot continue indefinitely to grow economically outside a democratic framework and effective human rights safeguards.

Brazil is in its 15th year of military rule, and while there has been a degree of liberalization in recent months, as for example in the congressional elections in November 1974, which were won by the opposition MDB party, there have been distressing lapses. The most notable of these publicly was the admitted death of Vladimir Herzog, a leading journalist, in a São Paulo prison, although the Government claims he committed suicide. Also, there have been constant reports of a significant number of other cases of torture, disappearance into supposed imprisonment, and other violations of human rights in Brazil to cause grave international concern. It is said Brasilia is against such inhumane practices yet that is where the central authority exists to stop them. A good sign is the announcement in yesterday's Washington Post that President Geisel has removed the Second Army Commander in São Paulo.

There is an excellent and diverse press in Brazil, but it is not yet free. Even while I was in Brazil, two elected deputies of the opposition MDB party lost their seats in the Chamber of Deputies through a process known as cassation and also lost their civil rights for 10 years; their eviction was on an order from President Geisel under a Brazilian law giving him that power. These are not events to give any friend of representative government and human rights other than deep concern.

My feelings about Brazil must be those of many who look closely at this enormous nation with its huge potential. On the one hand, one is greatly impressed by the vitality of the Brazilian people and the economic miracle they have produced. On the other, one must be very concerned about the slow progress in political development and the continuing bad reports on human rights. Brazil has been remarkably successful to date because of her rapid rate of economic growth, which has meant greater prosperity for many even at the lower end of the economic scale although with no improvement in the distribution of wealth, and has provided the more ambitious members of the poorer groups with an opportunity for upward mobility into the middle class. Slower growth for Brazil will slow the spread of these benefits, and the Government is clearly aware of the political upheavals that a really poor growth rate might engender.

The close linkage between growth and political stability leads into a consideration of the role of private investment in

ing evaluation and certification as to its inflationary impact.

We have been advised by the Office of Management and Budget that there would be no objection to the submission of our draft bill to the Congress from the standpoint of the Administration's program.

Sincerely,

ROGERS MORTON,
Secretary of Commerce.

STATEMENT OF PURPOSE AND NEED

The Federal Fire Prevention and Control Act of 1974 by creating the National Fire Prevention and Control Administration and the Fire Research Center within the Department of Commerce had as its objectives the reduction of the nation's losses caused by fire through better fire prevention and control; the supplementing of existing programs of research, training, and education; and the encouragement of new and improved fire prevention and control activities by state and local governments.

To accomplish these objectives, the Secretary of Commerce is authorized to undertake certain acts among which are the taking of all steps necessary to educate the public and overcome public indifference to fire and fire prevention; to establish at the earliest practicable date, a National Academy for Fire Prevention and Control in order to advance the professional development of fire service personnel and of other persons involved in fire prevention and control activities; to assist state and local fire service training programs through grants, contracts, or otherwise; to conduct a continuing program of development, testing and evaluation of equipment for use by the nation's fire, rescue, and civil defense services; to operate a comprehensive National Fire Data Center for the selection, analysis, publication, and dissemination of information pertaining to fires of all types; to encourage and assist states in the establishment of Master Plans for fire prevention and control; to review, evaluate and suggest improvements on public and private fire prevention and building codes and regulations; and to perform and support research on all aspects of fire with an aim to providing scientific and technical assistance applicable to the prevention and control of fires.

The Federal Fire Prevention and Control Act of 1974 authorized to be appropriated to carry out the programs of the National Fire Prevention and Control Administration, except section 11 of the Act, such sums as were necessary not to exceed \$10,000,000 for the fiscal year ending June 30, 1975, and not to exceed \$15,000,000 for the fiscal year ending June 30, 1976. Additionally, to carry out the research activities of the Fire Research Center, the Act authorized an amount not to exceed \$3,500,000 for the fiscal year ending June 30, 1975, and not to exceed \$4,000,000 for the fiscal year ending June 30, 1976.

The purpose of this bill is to authorize appropriations through the fiscal year ending September 30, 1978 as may be necessary for the continuation of the programs of the National Fire Prevention and Control Administration and the Fire Research Center and to consolidate into one account the appropriations authority for carrying out the programs of the National Fire Prevention and Control Administration and the Fire Research Center in order to promote efficiency and coordination by centralizing fiscal accountability.

Under current planning for administering the funds authorized to be appropriated, they would be utilized to carry out the programs of the National Fire Prevention and Control Administration, except for the claims program under section 11 of the Act, and for the support of the research activities of the Fire Research Center.

This proposal does not provide authorizations for section 19 of the Act relating to research on treatment for victims of fire which is administered by the Department of Health, Education, and Welfare.

By Mr. HUGH SCOTT:

S. 2863. A bill to designate the "Herman T. Schneebeli Federal Building". Referred to the Committee on Public Works.

Mr. HUGH SCOTT. Mr. President, Senator SCHWEIKER and I are pleased to introduce a bill to designate the proposed new Federal building at West Third Street, Williamsport, Pa., as the "Herman T. Schneebeli Federal Building."

HERMAN SCHNEEBELI, ranking Republican on the House Ways and Means Committee, will retire at the end of the 94th Congress after 16 years of service to his 17th Congressional District of Pennsylvania. Everyone who is familiar with HERM's modus operandi knows that his efforts on behalf of his community were not diminished by his larger services in Washington. Throughout his congressional career and despite his busy schedule, this dedicated, hardworking Congressman has maintained his close and helpful ties with local religious, civic, and welfare organizations.

As HERM returns to on-the-scene civic leadership, it is most appropriate that we recognize his longstanding efforts in his community by naming the proposed new Federal building in Williamsport in his honor. I urge my colleagues to join in this special tribute to our good friend and colleague, HERMAN T. SCHNEEBELI.

By Mr. BROCK:

S. 2865. A bill to establish a Standing Committee of the Senate on Intelligence Oversight, and for other purposes. Referred to the Committee on Rules and Administration.

CONGRESS AND INTELLIGENCE: THE OTHER SIDE—RESPONSIBILITY

Mr. BROCK. Mr. President, this week, the Government Operations Committee began hearings on the formation of a new, permanent Intelligence Oversight Committee that will continue to monitor the intelligence activities of the United States. Of course, the past year has seen an intensive investigation into one side of the intelligence coin: Past, present, and even future operations of the American intelligence community. That investigation was conducted by the Senate Select Committee To Study Governmental Operations With Respect to Intelligence Activities and by the House Select Committee on Intelligence.

It is now apparent that there is a general agreement that a new Oversight Committee should, and will, be formed. The intention is for Congress to regain its proper constitutional role in foreign affairs by keeping informed, to have the knowledge necessary to oversee the intelligence community. Congress certainly has the power to grant itself that ability.

However, it is necessary that I point out the other side of the coin of being kept informed—that is the responsibility of having information.

Mr. President, I am afraid that the events of the past few months have dem-

onstrated that Congress may not be quite ready for that responsibility. Therefore, with the establishment of an Oversight Committee, it is my belief that there should also be established tight safeguards to help protect that information. It is the purpose of the bill which I am introducing today to create a Senate Committee on Intelligence Oversight.

There have already been several theories advanced regarding the structure of such a committee. In fact, the suggestion that no committee be formed in lieu of reforming the entire Senate committee system holds great promise. I certainly would favor such an idea. However, this measure which I am introducing proposes to deal with the other side of the coin, responsibility, which is essential to any committee which will oversee something as important as the intelligence gathering capabilities of our Nation.

Mr. President, this measure contains three sets of safeguards. Some of these are unprecedented, but this is an unprecedented situation. The three areas which this measure addresses are: Members of Congress, the release of information, and committee staff.

1. MEMBER SAFEGUARDS

This committee would be nonpartisan, composed of 10 members; 5 from each party.

If we in Congress are really serious about the problems of congressional oversight, we must insure that there is never the slightest touch of partisanship. I was slightly disturbed by a recent Evans-Novak column that the alleged Eisenhower link to covert actions were made by a relatively low-level staffer and that senior Eisenhower staffers were not consulted and disagreed. While the recent stories on the last President Kennedy's life might make for titillating newspaper copy, I agree with both the chairman and vice chairman of the Senate committee that they really add nothing to our understanding of intelligence.

Any future intelligence committee is going to, time and time again, run across interesting and titillating material of a partisan nature. So, the only practical way to safeguard such material is to make this nonpartisan.

Second, the 10 members shall be the majority and minority leaders, and the chairman and ranking members each of Armed Services, Appropriations, Foreign Relations, and Government Operations.

This mix solves the obvious problem of having to inform too many Members of Congress and indirectly, solves the problem of "scope" of the committee. There is criticism that having members of these important committees, especially chairmen and ranking minority members, that they would not have the time, or interest, to properly service on such a committee. I simply reject this argument, knowing the character of the men involved.

Third, there shall be both a chairman and a vice chairman. With the chairman from the majority party and the vice-chairman from the minority party.

Fourth, there shall be no proxies allowed. The reason for this will become

January 22, 1976

CONGRESSIONAL RECORD — SENATE

S 307

which was referred to the Committee on Labor and Public Welfare.

MESSAGE FROM THE HOUSE

At 11:47 a.m., a message from the House of Representatives delivered by Mr. Hackney, one of its reading clerks, announced that the House has passed the bill (S. 391) to amend the Mineral Leasing Act of 1920 and for other purposes, with an amendment in which it requests the concurrence of the Senate.

The message also announced that the Speaker has appointed Mr. Broyhill as a manager on the part of the House in the conference on the disagreeing votes of the two Houses to the bill (S. 2718) to improve the quality of rail services in the United States through regulatory reform, coordination of rail services and facilities, and rehabilitation and improvement financing, and for other purposes, to fill the existing vacancy thereon.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. CULVER) laid before the Senate the following letters, which were referred as indicated:

PROPOSED LEGISLATION BY THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

A letter from the Administrator of the National Aeronautics and Space Administration transmitting a draft of proposed legislation to authorize appropriations to the National Aeronautics and Space Administration (with accompanying papers); to the Committee on Aeronautical and Space Sciences.

REPORT OF THE ASSISTANT SECRETARY OF DEFENSE

A letter from the Acting Assistant Secretary of Defense transmitting, pursuant to law, a report of Department of Defense procurement from small and other business firms for July-September 1975 (with an accompanying report); to the Committee on Banking, Housing and Urban Affairs.

PUBLICATION OF THE FEDERAL POWER COMMISSION

A letter from the Chairman of the Federal Power Commission transmitting a publication entitled "The National Power Survey: Power Generation: Conservation, Health, and Fuel Supply" (with an accompanying publication); to the Committee on Commerce.

DETERMINATION BY THE DEPARTMENT OF THE TREASURY

A letter from the Assistant Secretary of the Treasury transmitting, pursuant to law, a copy of a determination with respect to imports of canned hams and shoulders (with accompanying papers); to the Committee on Finance.

INTERNATIONAL AGREEMENTS OTHER THAN TREATIES

A letter from the Assistant Legal Adviser for Treaty Affairs of the Department of State transmitting, pursuant to law, copies of international agreements other than treaties entered into during the past 60 days (with accompanying papers); to the Committee on Foreign Relations.

REPORTS OF THE COMPTROLLER GENERAL

Two letters from the Comptroller General of the United States transmitting, pursuant to law, (1) a list of reports of the General Accounting Office for the month of December 1975; and (2) a report entitled "Financial Disclosure System for Employees of the Food

and Drug Administration Needs Tightening" (with accompanying reports); to the Committee on Government Operations.

REPORT OF THE DEPARTMENT OF THE TREASURY

A letter from the Assistant Secretary of the Treasury transmitting, pursuant to law, a report relating to a new IRS system of records (with an accompanying report); to the Committee on Government Operations.

REPORT OF THE DEPARTMENT OF THE TREASURY

A letter from the Assistant Secretary of the Treasury transmitting, pursuant to law, a report relating to a new system of records for the Customs Service (with an accompanying report); to the Committee on Government Operations.

PROPOSED CONTRACT OF THE DEPARTMENT OF THE INTERIOR

A letter from the Deputy Assistant Secretary of the Interior transmitting, pursuant to law, a proposed contract for a research project (with accompanying papers); to the Committee on Interior and Insular Affairs.

RENTAL PROPERTY OF THE GENERAL SERVICES ADMINISTRATION

Two letters from the Acting Administrator of General Services transmitting, pursuant to law, a prospectus for alterations at the Chicago, Illinois, Federal Building, 536 S. Clark Street; and a prospectus for entering into a 5-year lease for space at the Crystal Plaza No. 8 building in Arlington, Virginia (with accompanying papers); to the Committee on Public Works.

REPORT OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States transmitting, pursuant to law, a report concerning positions in the United States General Accounting Office in grades 16, 17, and 18 (with an accompanying report); to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LONG, from the Committee on Finance:

S. Res. 349. An original resolution authorizing additional expenditures by the committee on Finance.

NOMINATION OF JOAN D. AIKINS FOR REAPPOINTMENT TO THE FEDERAL ELECTION COMMISSION

Mr. MANSFIELD. Mr. President, on behalf of the distinguished Republican leader and myself, in accordance with Public Law 93-443, section 310, I submit the recommendation of Joan D. Aikins for reappointment to the Federal Election Commission for the term expiring April 30, 1982.

THE PRESIDING OFFICER. Without objection, the nomination will be received and referred to the Committee on Rules and Administration.

ATTENDANCE OF SENATORS

Hon. EDWARD W. BROOKE, a Senator from the State of Massachusetts, and Hon. HOWARD W. CANNON, a Senator from the State of Nevada, attended the session of the Senate today.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolution were introduced, read the first time and,

by unanimous consent, the second time, and referred as indicated:

By Mr. MAGNUSON (for himself and Mr. Pearson) (by request):

S. 2862. A bill to authorize appropriations for the Federal Fire Prevention and Control Act of 1974. Referred to the Committee on Commerce.

By Mr. HUGH SCOTT:

S. 2863. A bill to designate the "Herman T. Schneebeli Federal Building". Referred to the Committee on Public Works.

By Mr. MOSS (for himself and Mr. Goldwater) (by request):

S. 2864. A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes. Referred to the Committee on Aeronautical and Space Sciences.

By Mr. BROCK:

S. 2865. A bill to establish a Standing Committee of the Senate on Intelligence Oversight, and for other purposes. Referred to the Committee on Rules and Administration.

By Mr. PERCY:

S. 2866. A bill to amend the Internal Revenue Code of 1954 to allow a deferment of income taxes to individuals for certain higher education expenses. Referred to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MAGNUSON (for himself and Mr. Pearson) (by request):

S. 2862. A bill to authorize appropriations for the Federal Fire Prevention and Control Act of 1974. Referred to the Committee on Commerce.

Mr. MAGNUSON. Mr. President, I introduce by request, for appropriate reference, a bill to authorize appropriations for the Federal Fire Prevention and Control Act of 1974, and I ask unanimous consent that the letter of transmittal and statement of purpose and need be printed in the Record together with the text of the bill.

There being no objection, the material was ordered to be printed in the Record, as follows:

S. 2862

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Fire Prevention and Control Act of 1974 (Public Law 93-498; 88 Stat. 1535) is amended by redesignating section 17 as section 17(a) and adding a new subsection (b) to read as follows:

"(b) There are authorized to be appropriated to the Secretary of Commerce for the fiscal years ending September 30, 1977, and September 30, 1978, such sums as may be necessary to carry out the provisions of this Act, (except section 19 of this Act and payments to claimants under section 11), and to carry out the provisions of section 16 of the Act of March 3, 1901 (16 U.S.C. 278f) as added by section 18 of this Act."

THE SECRETARY OF COMMERCE,

Washington, D.C., November 26, 1975.

Hon. NELSON A. ROCKEFELLER,
President of the Senate
U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed are four copies of a draft bill "To authorize appropriations for the Federal Fire Prevention and Control Act of 1974," together with a statement of purpose and need in support thereof.

This proposed legislation has been reviewed by the Department in the light of Executive Order No. 11821 and has been determined not to be a major proposal requir-

January 22, 1976

CONGRESSIONAL RECORD — SENATE

S 309

more apparent when I explain my next section on "Release of Information."

Finally, if any member violates his trust and leaks information without approval, he shall be automatically suspended when charges are brought by at least one-fifth of the members, with at least one from each party. There shall be automatic referral of the case to the Senate Committee on Standards and Conduct and it will have 60 days to make a report to the full committee. The member shall only be reinstated upon approval of, first, the full Senate, and then, the Intelligence Committee itself.

There are unprecedented procedures in some cases, but like any law or precedent, no reasonable man ever need fear them. As I stated earlier, these are also unprecedented times, and we simply must stop this making of foreign policy by leaks.

2. RELEASE OF INFORMATION

I am proposing three separate safeguards for the release of information.

Any report, press release, and so forth, revealed to the public must be approved by at least a 3-to-5 majority of the committee with at least two from each party.

For material released over the objection of the administration, a 4-to-5 vote will be required including at least three from each party. In addition, this material must be approved by the Senate.

For material received under "prior notification" procedures, a unanimous vote of the committee will be required plus a 3-to-5 vote of the Senate.

This is why it is important that proxies not be allowed.

3. STAFF SAFEGUARDS

Although I am afraid that all the Members are not entirely faultless, I think that many, if not all, of the sources of leaks come from staff members who forget that they are not the elected representatives of the people. Therefore, I am proposing some very stringent staff security measures.

First, none shall be hired without the approval of both the chairman and vice chairman. This will be in keeping with the nonpartisanship of the committee.

Second, all staffers must have a background investigation. I must emphasize all since some of the worst cases of espionage have been committed by the lowest level persons.

Third, clearances will only be granted with recommendation of the staff director and approval by both the chairman and vice chairman.

Fourth, all staffers shall sign a pledge never to divulge material.

Fifth, there shall be immediate dismissal for leaks or other indiscretions any time a charge is brought by one member or the staff director.

Sixth, violation of the pledge to reveal information or for leaking will be punishable by a sentence of up to 20 years and/or a \$100,000 fine.

Mr. President, we simply must make this a very professional staff that serves the Senate and not themselves.

MISCELLANEOUS PROVISIONS

By concentrating on safeguards, I do not want to leave the impression that I

am unconcerned about some of the more substantive measures. However, I think that some of these substantive measures have already been resolved by both the Rockefeller Commission and the Senate and House Intelligence Committees.

There are, however, two measures that I think should be looked into by any new committee. Thus, I am requesting that any new intelligence committee submit reports on the following:

First. The question of an overall "intelligence budget." My bill requires that the new committee report within 18 months the feasibility and advisability of such a budget.

Second. The question of a reorganization of the whole intelligence community. This simply must be looked into in depth. One question I have is the advisability of establishing a strictly "analytical department of intelligence" that operates out of the White House. My bill directs the committee to report within 24 months on this question of reorganization.

Finally, I have been increasingly distressed that there has not been some balance in intelligence reporting over the past year during this investigation. I am not defending any illegal action that has been conducted by the CIA or FBI. However, on balance, and when compared to Communist activities, I am sure they would be considered mild. We simply must bring some balance to this masochistic criticism of our own institutions.

Therefore, to try to bring some balance, my bill requires that once a year the Directors of the CIA, the FBI, and the Defense Intelligence Agency, shall issue a report on Communist activities in their respective areas.

Mr. President, my concern is our national security. There is no question in my mind of the importance of national security. As I stated previously, I do not condone some of the activities of some elements of our intelligence community, but I have no question about the need for intelligence. This measure deals with a serious problem. We must face it and find solutions. It is my hope that we will proceed in a direction which will make our nation stronger, not destroy it. We must stop the creation of our foreign policy by unneeded leaks of vital information which does nothing more than rip at the fabric which holds us together.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2865

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Committee on Intelligence Oversight Act of 1976".

Sec. 2. Sections 3 through 8 and sections 10 and 11 of this Act are enacted—

(1) as an exercise of the rulemaking power of the Senate, and as such they shall be considered as part of the rules of the Senate, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of the Senate to change such

rules at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.

Sec. 3. Rule XXIV of the Standing Rules of the Senate is amended by adding at the end thereof a new paragraph as follows:

"3. (a) The Committee on Intelligence Oversight shall be composed of the following members:

"(1) The majority leader of the Senate.

"(2) The minority leader of the Senate.

"(3) The chairman and the ranking member of the minority party of the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Government Operations.

"(b) At the beginning of each Congress, the members of the Committee on Intelligence Oversight who are members of the majority party of the Senate shall select the chairman of such committee and the members of such committee who are members of the minority party of the Senate shall select the vice chairman of such committee."

Sec. 4. (a) Subparagraph (d) 1 of paragraph 1 of rule XXV of the Standing Rules of the Senate is amended by striking out the period at the end of such subparagraph and inserting in lieu thereof a comma and the following: "except matters described in subparagraph (s)."

(b) Subparagraph (l) 1 of paragraph 1 of rule XXV of the Standing Rules of the Senate is amended by striking out the period at the end of such paragraph and inserting in lieu thereof a comma and the following: "except matters described in subparagraph (s)."

(c) Subparagraph (l) 9 of paragraph 1 of rule XXV of the Standing Rules of the Senate is amended by striking out the comma after the word "espionage" and inserting in lieu thereof the following: "(except matters described in subparagraph (s))."

Sec. 5. (a) Paragraph 1 of rule XXV of the Standing Rules of the Senate is amended by adding at the end thereof the following new subparagraph:

"(s) Committee on Intelligence Oversight, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following:

"(A) The Central Intelligence Agency.

"(B) The Defense Intelligence Agency.

"(C) The National Security Agency.

"(D) Intelligence activities of all other departments and agencies of the Government, including, but not limited to, the intelligence activities of the Army, Navy, and Air Force; the Department of Justice; the Department of State; and the Department of the Treasury."

(b) Paragraph 3 of rule XXV of the Standing Rules of the Senate is amended by inserting

"Intelligence Oversight----- 10."
Immediately below

"District of Columbia----- 7."

(c) Paragraph 6 of rule XXV of the Standing Rules of the Senate is amended by adding at the end thereof the following new subparagraph:

"(1) For the purposes of this paragraph, service of a Senator as a member of the Committee on Intelligence Oversight shall not be taken into account."

Sec. 6. (a) (1) Subject to the provisions of paragraph (2), no document, record, paper, testimony, or other information in the possession of the Committee on Intelligence Oversight of the Senate shall be disclosed by any member of such committee or by any employee or agent of such committee to any person not authorized by such committee to receive such information unless six or more members of such committee (including

at least two from the majority party and two from the minority party of the Senate) have voted to disclose such information to such person.

"(2) No document, record, paper, testimony, or other information in the possession of the Committee on Intelligence Oversight of the Senate shall be disclosed by any member of such committee or by any employee or agent of such committee, except to the extent authorized by such committee, if such information was made available to such committee by the Executive Branch in accordance with section 632 of the Foreign Assistance Act of 1961 unless eight or more members of such committee have voted to disclose such information and the Senate has agreed to a resolution expressing approval of the proposed disclosure of such information by such committee.

(3) For purposes of paragraphs (1) and (2) of this subsection, no vote of any member may be cast by proxy.

(b) Whenever any document, record, paper, testimony, or other information is submitted by the Executive Branch to the Committee on Intelligence Oversight of the Senate, including any information referred to in subsection (a), with instructions that, because of national security considerations, such information not be disclosed to any person not a member or employee of such committee, such committee shall not disclose such information to any person not a member or employee of such unless (1) the disclosure of such information has been approved by a unanimous vote of all members of such committee, (2) such committee has requested the approval of the Senate for the disclosure of such information, and (3) the Senate has approved the disclosure of such information by a vote of at least three-fifths of the Senators duly chosen and sworn.

Sec. 7. (a) A member of the Committee on Intelligence Oversight of the Senate shall be automatically suspended from membership on such committee in any case in which two or more members of such committee (including at least one from the majority party and one from the minority party of the Senate) have alleged in writing to the clerk of such committee that such member has violated section 3 of this Act regarding the unauthorized disclosure of information.

(b) The suspension of any member of the Senate from membership on the Committee on Intelligence Oversight shall be automatically referred to the Select Committee on Standards and Conduct of the Senate together with a copy of the allegations referred to in subsection (a). Such select committee shall conduct an investigation of such allegations and shall submit a report containing the results of such investigation, together with such recommendations as it deems appropriate, including, but not limited to, recommendations for expulsion from the Senate, within 60 days after the date on which a copy of such allegations have been submitted to such select committee.

(c) Any member of the Committee on Intelligence Oversight of the Senate who has been suspended from membership on such committee shall remain suspended until such time as the Senate directs that such member be reinstated as a member of such committee.

Sec. 8. (a) Every individual employed by the Committee on Intelligence Oversight of the Senate and every other individual (other than a member of Congress) given access to any document, record, paper, testimony, or other information in the possession of such committee which the committee has not ordered to be publicly disclosed shall be required to have a Background Investigation check. The chairman and vice chairman of such committee shall determine the type of clearance each such employee or other individual shall be required to have.

(b) All employees of the Committee on

Intelligence Oversight of the Senate shall be employed subject to the approval of both the Chairman and vice chairman of such committee.

(c) No individual shall be employed by the Committee on Intelligence Oversight of the Senate unless he shall pledge in writing never to disclose the contents of any document, record, paper, testimony, or other information in the possession of such committee unless such committee has approved the disclosure of such information.

(d) Any employee of the Committee on Intelligence Oversight of the Senate who violates his pledge made under subsection (c), as determined by any member of such committee or the staff director thereof, shall be immediately dismissed from his employment. In any case in which an employee of the Committee on Intelligence Oversight has been dismissed from his service with such committee because of a violation of his pledge made under subsection (c), such committee shall refer the matter to the Attorney General of the United States for appropriate action if the committee determines criminal prosecution may be warranted.

Sec. 9. Any employee of the Committee on Intelligence Oversight of the Senate who is guilty of having violated his pledge made under section 8(c) shall be guilty of a felony and shall be subject to a fine of not to exceed \$100,000 and imprisonment not to exceed 20 years, or both.

Sec. 10. (a) (1) The Committee on Intelligence Oversight of the Senate shall conduct a study and investigation to determine the feasibility and advisability of having a consolidated intelligence budget in which funds for all intelligence activities of the United States are contained.

(2) Such committee shall submit the results of such study and investigation to the Senate within eighteen months after the date of enactment of this Act together with such comments and recommendations as it deems appropriate.

(b) (1) The Committee on Intelligence Oversight shall also conduct a study and investigation to determine the feasibility and advisability of a general reorganization of the intelligence community of the United States with particular emphasis on the question of establishing a purely analytical office of intelligence in the executive office of the White House.

(2) Such committee shall submit the results of such study and investigation to the Senate within twenty-four months after the date of enactment of this Act together with such comments and recommendations as it deems appropriate.

Sec. 11. All documents, records, papers, and other information in possession of the Committee on Intelligence Oversight of the Senate shall be kept in the offices of such committee, or in such other places as such committee may direct, under such security safeguards as such committee shall determine in the interest of national security.

Sec. 12. The Director of the Central Intelligence Agency, the Director of the Defense Intelligence Agency, and the Director of the Federal Bureau of Investigation shall each submit a report annually to the Committee on Intelligence Oversight of the Senate. Such reports shall review the operations of the agency or bureau, as the case may be, during the past year, including, but not limited to a review of the Communist activities with which such agency or bureau was concerned during such year. Such reports shall be unclassified and shall be made available to the public. Nothing herein shall be construed as requiring the disclosure in such reports of the names of individuals engaged in intelligence activities for the United States or the sources of information on which such reports are based.

BY MR. BROW:

S. 8533. A bill to amend the Internal Revenue Code of 1954 to allow a deduction of income taxes to individuals for certain higher education expenses, referred to the Committee on Finance.

HIGHER EDUCATION EXPENSES TAX DEDUCTION ACT

MR. BROW. Mr. President, today I am introducing legislation which would provide greatly needed financial relief to middle-income families. Now more than ever, this bill is needed to assist middle-income students to become educated to their full potential.

As we all know, the costs of postsecondary education have been rising steadily during the past several years. The price of a year on almost every campus has jumped by at least 60 percent over the last 10 years, passing the \$5,000 per year mark at many private universities. To support one child through 4 years of undergraduates study can cost between \$10,000 to \$25,000, a prohibitive sum for many families. Current and projected college costs are growing faster than income. It is unquestionably true that the rapidly increasing cost of higher education is a fact that cannot be ignored.

When I initially introduced this bill 4 years ago, the increasing costs of tuition, room and board, and the related fees and charges of a college degree had forced many to take on second jobs or to place second mortgages on their homes. The hardship is particularly great for parents who have more than one college-age child eligible for higher education at one time.

Congress has acted to some degree to relieve the financial plight of parents contemplating a college education for their children. There are a number of student aid programs that provide relief in the form of scholarships, grants, loans, and work-study programs, to those most in need, as they should. These Federal student aid programs, however, have been woefully inadequate in light of the rising financial costs involved in sending a person to school. Educational institutions, also, because of the inadequacy of their funds, often exhaust all of their financial assistance by the time they reach applications of students from middle-income families.

This concentration on lower income groups, has resulted in little or no financial assistance available for the student from a middle-income family whose needs are just as great. The distressing fact is that families in this group who are expected to meet a large portion of the burden from their own resources either have no savings plan for college or have plans that are dangerously inadequate.

The bill I am introducing today is not the final answer to the skyrocketing cost of higher education, but it will help middle-income families to meet college expenses as they come up. My bill would allow a taxpayer to defer a part or all of his taxes while he is paying the expenses of higher education for himself or his dependents.

Unlike tax credits, the deferred taxes, like loans must be repaid at 7 percent

ROUTING AND RECORD SHEET

Executive Registry

76-6456

SUBJECT: (Optional)

FROM: Legislative Counsel
7D49 HQ

EXTENSION

NO.

STATINTL

DATE 26 January 1976

TO: (Officer designation, room number, and building)

DATE

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

RECEIVED

FORWARDED

1.

Director

1/26

1/26

Attached are three significant items from the Congressional Record of 22 January:

25X1A

2.

ER

3.

1. Statement by Representative Scheuer on introducing his bill bringing paramilitary covert action under the coverage of the War Powers Act.

4.

2. A thoughtful statement by Senator Bartlett on the Angola situation.

5.

3. An oversight bill introduced by Senator Brock.

6.

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George L. Cary
Legislative Counsel

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